

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                            |          |                               |
|----------------------------|----------|-------------------------------|
| <b>IN RE:</b>              | <b>:</b> | <b>CHAPTER 13</b>             |
| <b>KAREN LYNN HACKNEY,</b> | <b>:</b> |                               |
| <b>Debtor</b>              | <b>:</b> | <b>CASE NO. 1:17-bk-03860</b> |
|                            |          |                               |
| <b>KAREN LYNN HACKNEY,</b> | <b>:</b> |                               |
| <b>Movant</b>              | <b>:</b> |                               |
|                            |          |                               |
| <b>v.</b>                  | <b>:</b> |                               |
|                            |          |                               |
| <b>LVNV FUNDING LLC,</b>   | <b>:</b> |                               |
| <b>Respondent</b>          | <b>:</b> |                               |
|                            |          |                               |

**MOTION TO AVOID LIEN OF RESPONDENT  
UNDER SECTION 522(f) OF THE BANKRUPTCY CODE**

COMES NOW the Debtor, by and through Dorothy L. Mott, Esquire and makes this Motion respectfully stating in support thereof:

1. The Debtor filed a Chapter 13 Petition on September 19, 2017.
2. The Debtor is an adult individual residing at 6514 Devonshire Heights Road Harrisburg, PA 17111.
3. Respondent maintains a mailing address at 55 BEATTIE PL STE 110 MS576, GREENVILLE, SC 29601-5115.
4. The Respondent holds a judicial lien against the Debtor in the amount of \$816.81. entered in Dauphin County at docket number # 2011 CV 4943.
5. The Debtor has listed all property the Debtor owns on the Bankruptcy schedules.
6. All property listed by the Debtor has been exempted.
7. No one has challenged either the value of the property or the exemption claimed.
8. The Respondent does not have a purchase money security interest in household goods, or a possessory interest.
9. The judgment of the Respondent potentially stands to impair the exemption of the Debtor under Section 522(d) of the Bankruptcy Code. The judgment is a judicial lien.

10. The Debtor seeks under Section 522(f) of the Bankruptcy Code to avoid the judgment of the Respondent.

WHEREFORE, the Debtor respectfully requests that this Court enter an Order avoiding the aforesaid judgment under Section 522(f) of the Bankruptcy Code and granting such other relief as this Court deems just.

Respectfully submitted,

/s/ Dorothy L. Mott

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| <b>Debtor</b>              | <b>:</b> | <b>CASE NO. 1:17-bk-03860</b> |
| <br>                       | <b>:</b> | <br>                          |
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| <br>                       | <b>:</b> | <br>                          |
| <br>                       | <b>:</b> | <br>                          |
| <br>                       | <b>:</b> | <br>                          |
| <b>v.</b>                  | <b>:</b> |                               |
| <br>                       | <b>:</b> |                               |
| <br>                       | <b>:</b> |                               |
| <b>LVNV FUNDING LLC,</b>   | <b>:</b> |                               |
| <b>Respondent</b>          | <b>:</b> |                               |
| <br>                       | <b>:</b> |                               |

**O R D E R**

UPON consideration of the foregoing Motion to Avoid Judgment of Respondent under Section 522(f) of the Bankruptcy Code , it is hereby

ORDERED AND DECREED that the relief prayed for in the Motion be, and hereby is granted, to wit, the judgment of LVNV FUNDING LLC in the approximate amount of \$816.81 entered in Dauphin County at docket number # 2011 CV 4943 be and hereby is avoided; it is further

ORDERED AND DECREED that a certified copy of this Order may be filed with the Prothonotary of Dauphin County and the Prothonotary is directed to terminate the judgment in the judgment indices.

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FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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| <b>Debtor</b>              | <b>:</b> | <b>CASE NO. 1:17-bk-03860</b> |
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| <br>                       | <b>:</b> | <br>                          |
| <b>v.</b>                  | <b>:</b> |                               |
| <br>                       | <b>:</b> |                               |
| <b>LVNV FUNDING LLC,</b>   | <b>:</b> |                               |
| <b>Respondent</b>          | <b>:</b> |                               |
| <br>                       | <b>:</b> |                               |

**CERTIFICATE OF SERVICE**

I, Dorothy L. Mott, hereby certify that on January 24, 2018, I served a copy of the notice and Motion to Avoid Lien electronically or by placing the same in the United States Mail, First Class, postage pre-paid, addressed as follows:

Charles J. DeHart, III Esquire, Trustee ( via ECF)

Anne K. Fiorenza, Esquire, Assistant United States Trustee (via ECF)

LVNV FUNDING LLC  
ATT KEVIN P BRANIGAN PRESIDENT  
55 BEATTIE PL STE 110 MS576  
GREENVILLE, SC 29601-5115

/s/ Dorothy L. Mott

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doriemott@aol.com

**UNITED STATES BANKRUPTCY COURT**  
**MIDDLE DISTRICT OF PENNSYLVANIA**

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

Chapter:13

Karen Lynn Hackney  
Debtor

Case number:1:17-bk-03860

Matter: Motion to Avoid Lien

Karen Lynn Hackney  
Movant

vs,

LVNV FUNDING LLC  
Respondent

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**Notice**

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**NOTICE OF OPPORTUNITY TO OBJECT AND HEARING:** Pursuant to Local Rule 2002-1(a), the Court will consider this motion, objection or other matter without further notice or hearing unless a party in interest files an objection/response within twenty-one (21) days of the date of the notice. If you object to the relief requested, you must file your objection/response with the Clerk, U. S. Bankruptcy Court, 228 Walnut Street, Room 320, Harrisburg PA 17101 and serve a copy on the movant and movant's attorney, if one is designated.

If you file and serve an objection/response within the time permitted, the Court may schedule a hearing and you will be notified. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing, and may grant the relief requested.

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Date: January 24, 2018

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